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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,477	02/25/2004	Reinhold Fuessinger	080404.53105US	1788

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EXAMINER

PECHHOLD, ALEXANDRA K

ART UNIT PAPER NUMBER

3671

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/785,477

Applicant(s)

FUESSINGER ET AL.

SO

Examiner

Alexandra K Pechhold

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☒ Claim(s) 15-17 and 21-23 is/are rejected.
- 7) ☒ Claim(s) 18-20 and 24-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/25/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Diefendahl et al (US 5,423,101).**

Regarding claim 15, Diefendahl discloses a dismountable bridge, having 2 track carriers seen as tracks (12) in Fig. 2, divided into modules as shown in Fig. 7,

- the tracks (12) being spanned and suspended at a vault, seen as girders (8) in Fig. 2,
- the girders (8) divided into several modules in the longitudinal direction of the bridge as shown in Fig. 7, the girders (8) adapted in their modular division to the modular division of the tracks (12),
- the tracks (12) and girders (8) equipped at their ends with end pieces, seen as sections (1R) in Fig. 7,
- wherein the modules of the vaults have mutually equal length constructions as Fig. 7 shows,

Art Unit: 3671

- these top part of the section (1R) are connected in a torque-resistant manner with the bottom part of section (1R) since they are joined as seen in Fig. 7, and
- the end pieces capable of compensating the length differences between the tracks (12) and girders (8) in the case of different bridge lengths.

Regarding claim 16, Diefendahl discloses the claimed invention as discussed with respect to claim 15 above, and also illustrated in Figs. 2 and 7 of Diefendahl.

3. Claims 17 and 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Parramore (US 4,521,932).

Regarding claim 17, Diefendahl discloses a dismountable bridge kit comprising:

- a plurality of equal length track carrier modules, seen as the portion below girders (32) in modules (30) in Fig. 7,
- a plurality of equal length vault modules seen as the portion above the girders (32) in modules (30) in Fig. 7,
- at least two track carrier end pieces, seen as the lower parts of modules (31) in Fig. 2,
- at least two vault end pieces, seen as the upper parts of modules (31) in Fig. 2,
- wherein the end pieces are capable of being detachably locking engaged with one another and are configured to be connected to accommodate

Art Unit: 3671

different lengths of a bridge assembly formed of respective different numbers of the track carrier modules and vault modules, as shown in Figs. 2 and 3 and disclosed in column 4, lines 25-29.

Regarding claim 21, Parramore discloses an end piece, seen as module (31), configured to accommodate a plurality of connection positions spaced from one another as disclosed in column 4, lines 25-29; the track carrier and vault modules and end modules are discussed with respect to claim 16 above.

Regarding claims 22 and 23, the upper and lower end pieces of the module (31) of Parramore are seen as capable of being detachably connected to an end of the vault module and track carrier module of module (30) in Fig. 2.

4. Claims 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Lotto et al (US 4,017,932).

Regarding claim 21, Lotto discloses an end piece, seen as either access ramp (6', 7) in Fig. 2, for a dismountable bridge having a plurality of track carrier modules and vault modules connected end to end to form a bridge with end track carrier modules and end vault modules being connected by end pieces as shown in Fig. 1, wherein the access ramp (6' or 7) is configured to accommodate a plurality of connection positions, since it is capable of being pivoted to accommodate different length bridges.

Regarding claim 22, the access ramp (6' or 7) of Lotto can be viewed as a track carrier end piece which is detachably connectable with an end of a track carrier module.

Art Unit: 3671

Allowable Subject Matter

5. Claims 18-20 and 24-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. Claims 1-14 are allowed.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexandra Pechhold whose telephone number is (703) 305-0870. The examiner can normally be reached on Mon-Thurs. from 8:00am to 5:30pm and alternating Fridays from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached on (703)308-3870. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.


Thomas B. Will
Supervisory Patent Examiner
Group 3600

AKP
10/14/04